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In re Application of :
Schumacher et al. :
Application No. 10/622,833 : DECISION GRANTING PETITION
Filed: July 21, 2003 :
Attorney Docket No. MEMORY-28 :

This is a decision on the renewed petition filed October 4, 2004, requesting that the above-identified application be accorded a filing date of July 21, 2003, with pages 51-74 of the specification as part of the original disclosure.

On July 21, 2003, applicants filed the above-identified application. On June 21, 2004, the Office mailed a Notice to File Missing Parts of Nonprovisional Application, stating, *inter alia*, that the application had been accorded a filing date of July 21, 2003, and advising applicants that pages 51-74 of the specification appeared to have been omitted.

In response, on August 20, 2004, applicants filed a petition and a copy of their postcard receipt acknowledging receipt of "NEW ORIGINAL APPLICATION INCLUDING 123 PGS. OF SPEC, 72 PGS. CLAIMS, 1 PGS. ABSTRACT" on July 21, 2003. The evidence presented was convincing that the application papers deposited on July 21, 2003, included pages 51-74 of the specification, which were subsequently misplaced in the United States Patent and Trademark Office. Unfortunately, applicants' petition was dismissed by the decision of September 21, 2004, because applicants failed to submit copies of pages 51-74 of the specification.

On October 4, 2004, applicants filed the present renewed petition and copies of pages 51-74 of the specification. Accordingly, the petition is granted.

The Office of Initial Patent Examination is directed to accord the application a **filing date of July 21, 2003**, using the copies of pages 51-74 of the specification submitted with the petition filed on October 4, 2004.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell

Christina Tartera Donnell
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